

Entered on Docket
May 17, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
Debtor.

Jointly Administered Under
Case No. BK-S-06-10725 LBR

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

**AMENDED ORDER ESTABLISHING
CASE MANAGEMENT PROCEDURES
(AFFECTS ALL DEBTORS)**

In re:
USA SECURITIES, LLC,
Debtor.

Date: May 3, 2006
Time: 9:30 a.m.

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

The Court having heard various motions on May 3, 2006, the Debtors, USA Commercial Mortgage Company ("USA Commercial Mortgage"), USA Securities, LLC ("USA Securities"), USA Capital Realty Advisors, LLC ("USA Realty"), USA Capital Diversified Trust Deed Fund ("USA Diversified"), and USA Capital First Trust Deed Fund ("USA First") (collectively referred to as "Debtors"), appearing by and through their counsel, Ray Quinney & Nebeker P.C. and Schwartzer & McPherson Law Firm; other appearances being made upon the record; the Court having considered the status and size of the Debtors' cases and determining that it is beneficial to enter case management procedures, it is hereby

ORDERED that these cases are subject to the following Case Management Procedures:

A. Hearings

1. **Omnibus Hearing Dates** - Unless the Court otherwise schedules or orders, *sua sponte*, or upon the proper filings by a party, all motions, pleadings, applications, other requests for relief, objections, responses, and replies thereto, and all other matters, will be automatically set to be heard at periodic bi-monthly or monthly omnibus hearings scheduled in advance by the Court (the "Omnibus Hearing Dates"). The Court has currently set the following Omnibus Hearing Dates:

May 18, 2006 at 9:30 a.m.

June 5, 2006 at 9:30 a.m.

June 15, 2006 at 10:00 a.m.

June 21, 2006 at 9:30 a.m.

July 25, 2006 at 9:30 a.m.

August 4, 2006 at 1:30 p.m.

August 16, 2006 at 1:30 p.m.

1 August 31, 2006 at 9:30 a.m.

2 Except as otherwise scheduled or ordered by the Court, all motions, pleadings, applications, other
3 requests for relief, objections, responses, and replies thereto, and all other matters ("Request(s) for
4 Relief") shall not be considered by the Court unless it is filed and served at least twenty five (25)
5 days prior to the next scheduled Omnibus Hearing Date. The Objection Deadline for such
6 document is set forth below.

7 2. **Setting A Hearing Not On The Omnibus Hearing Date** - The Court may issue
8 an order shortening time which allows such Request For Relief to be heard on a date that is not an
9 Omnibus Hearing Date if proper support is provided to demonstrate its urgency and that such
10 urgency is not a result of delay on the part of the party requesting the relief. However, unless such
11 circumstances constitute an extreme emergency, it is unlikely that such Request for Relief will be
12 set on less than ten (10) days' notice.

13 3. **Future Hearings** – The Debtors may request that future Omnibus Hearings be
14 scheduled. All future Omnibus Hearings scheduled by the Court shall be posted on the Debtors'
15 Private Website at <http://www.usacapitalcorp.com> and on BMC Group, the Debtors' Noticing
16 Agent's Website at <http://www.bmcgroup.com/usacmc>. Entities may contact BMC Group at
17 (888) 909-0100 for information concerning future Omnibus Hearings that have been scheduled by
18 the Court.

19 4. **Objection(s) Deadline to Request(s) for Relief –**

20 (a) Unless otherwise ordered by the Court, the deadline to file and serve
21 Objections to Requests for Relief (the "Objection Deadline") set to be heard on an Omnibus
22 Hearing Date shall be the earlier of: (i) fifteen (15) days after the Request for Relief is served, or
23 (ii) five (5) business days before the applicable hearing date. An Objection Deadline concerning a
24 Request For Relief set to be heard on an Omnibus Hearing Date may be extended with the consent
25 of the entity filing the Request for Relief to a date that is no later than five (5) business days before
26 the applicable hearing date.

27 (b) Unless otherwise ordered by the Court, the deadline to file and serve
28 objections to Requests for Relief set on shortened time shall be no later than five (5) business days

1 before the hearing date.

2 (c) Any brief filed in reply to an objection to Request for Relief shall be filed
3 by noon the business day before the applicable hearing date.

4 **5. Pleadings-**

5 (a) Courtesy Copies- Courtesy copies of all motions, oppositions, replies, and
6 memoranda of law that are set for hearing, together with all exhibits and attachments, must be
7 delivered to the Bankruptcy Court Clerk's office after filing. Copies shall be delivered either by
8 hand or by mail. Delivery shall be made no later than ten business days prior to the scheduled
9 hearing date. If the matter is set on ten or less days notice, courtesy copies shall be delivered on
10 the date filed.

11 **B. Effective Date of Case Management Procedures**

12 1. The effective date of the Case Management Procedures contained herein shall be
13 the date the Order is entered on the Court's docket.

14 Submitted by:

15
16 /s/ Jeanette E. McPherson

17 Lenard E. Schwartz

18 Nevada Bar No. 0399

19 Jeanette E. McPherson

20 Nevada Bar No. 5423

21 Schwartz & McPherson Law Firm

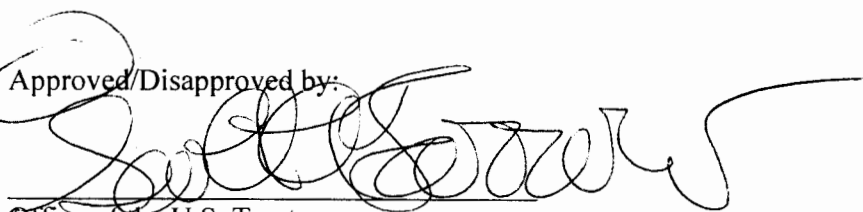
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24 Proposed Attorneys for Debtors

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26 Approved/Disapproved by:

27 
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